

#31607

A G R E E M E N T

This Agreement is made this 7th day of May, 1997, by and between Gramercy Group, Inc., t/a Cafe Deluxe ("Licensee"), a District of Columbia corporation and Advisory Neighborhood Commission 3C ("ANC"),

REC'D
ALCOHOLIC BEVERAGE
CONTROL DIVISION

JUL 3 10 50 AM '97

WHEREAS, the Licensee presently operates a restaurant at premises 3228-3230 Wisconsin Avenue, N.W., and is the holder of District of Columbia Retail Class CR Alcoholic Beverage License Number 22011 for said premises, and

WHEREAS, Licensee is presently limited to providing music by CD player and is not permitted to provide live music, and

WHEREAS, Licensee intends to file with the District of Columbia Alcoholic Beverage Control Board ("Board") for approval of a change in the nature of its operation to permit a small group of musicians to perform three evenings a week in the back of the restaurant, and

WHEREAS, the ANC agrees to support Licensee's request to provide said live music subject to certain conditions.

NOW, THEREFORE, in consideration of the premises recited above and the covenants and promises set forth below, the parties agree as follows, subject to approval by the Board:

1. Live music will be permitted at the premises a maximum of three evenings a week.

2. There will be no more than five musicians, who will play unamplified instruments, at the rear of the restaurant.
3. The Licensee will turn off the loud-speakers for the sidewalk cafe by 11 PM.
4. The live music will cease by midnight each evening unless the doors to the sidewalk cafe are closed at that time.
5. If there is a formal complaint related to the live music, the ANC and the Licensee will consider modifying these conditions or taking such other steps as may be deemed appropriate to resolve such complaint.
6. The ANC authorizes the Licensee to request the Board, on behalf of the ANC and the Licensee, to approve the aforesaid change in the nature of the operation of the premises and to condition said approval upon the Licensee's compliance with the terms of this written agreement. Nothing herein contained shall preclude the ANC from making its own submission in support of the change.

HEREBY AGREED TO BY:

Gramercy Group, Inc.
t/a Cafe Deluxe

By: 

SAM B MARCUS JR.

Its: PRESIDENT

Dated: 5/7/97

Advisory Neighborhood Commission 3C

By: 

Dated: June 20, 1997

137707

Chairman